

United States Bankruptcy Court
District of Maryland

In re **Eddie Gordon**
Tara Gordon

Debtor(s)

Case No. **09-20660**
Chapter **13**

FOURTH CHAPTER 13 PLAN

☐ Original Plan

☒ Amended Plan

☐ Modified Plan

The Debtor proposes the following Chapter 13 plan and makes the following declarations:

1. The future earnings of the Debtor are submitted to the supervision and control of the Trustee, and Debtor will pay as follows (select only one):
 - a. \$_____ per month for a term of _____ months. OR
 - b. \$_____ per month for _____ month(s),
\$_____ per month for _____ month(s),
\$_____ per month for _____ month(s), for a total term of _____ months. OR
 - c. \$ **75.00** per month for the first three months, then \$ **700.00** per month prior to confirmation of this plan, and \$ **800.00** per month after confirmation of this plan, for a total term of **60** months (if this option is selected, complete 2.e.i.).
2. From the payments received, the Trustee will make the disbursements in the order described below:
 - a. Allowed unsecured claims for domestic support obligations and trustee commissions.
 - b. Administrative claims under 11 U.S.C. § 507(a)(2), including attorney's fee balance of \$ **2,700.00** (unless allowed for a different amount by an order of court)**** **Balance of attorney's fees to be paid pursuant to Appendix F of the Local Bankruptcy Rules.**
 - c. Claims payable under 11 U.S.C. § 1326(b)(3). Specify the monthly payment: \$ **0.00**.
 - d. Other priority claims defined by 11 U.S.C. § 507(a)(3) - (10). The Debtor anticipates the following claims:

| <u>Claimant</u> | <u>Amount of Claim</u> |
|---------------------------------|------------------------|
| Comptroller of Maryland | 0.00 |
| Internal Revenue Service | 0.00 |

- e. Concurrent with payments on non-administrative priority claims, the Trustee will pay secured creditors as follows:
 - i. Until the plan is confirmed, adequate protection payments and/or personal property lease payments on the following claims will be paid directly by the Debtor; and, after confirmation of the plan, the claims will be treated as specified in 2.e.ii or 2.e.iii, below (designate the amount of the monthly payment to be made by the Debtor prior to confirmation, and provide the redacted account number (last 4 digits only), if any, used by the claimant to identify the claim):

| <u>Claimant</u> | <u>Redacted Acct. No.</u> | <u>Monthly Payment</u> |
|----------------------------|---------------------------|------------------------|
| Wells Fargo Finance | *****9001 | 550.00 |

- ii. Pre-petition arrears on the following claims will be paid through equal monthly amounts under the plan while the Debtor maintains post-petition payments directly (designate the amount of anticipated arrears, and the amount of monthly payment for arrears to be made under the plan):

| <u>Claimant</u> | <u>Anticipated Arrears</u> | <u>Monthly Payment</u> | <u>No. of Mos.</u> |
|--------------------|----------------------------|------------------------|--------------------|
| Wells Fargo | 747.15 | | |

Local Bankruptcy Form M

Ver. 11.07

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Best Case Bankruptcy

| <u>Claimant</u> | <u>Anticipated Arrears</u> | <u>Monthly Payment</u> | <u>No. of Mos.</u> |
|--------------------------------|----------------------------|------------------------|--------------------|
| Wells Fargo Hm Mortgage | 21,341.21 | | |

- iii. The following secured claims will be paid in full, as allowed, at the designated interest rates through equal monthly amounts under the plan:

| <u>Claimant</u> | <u>Amount</u> | <u>% Rate</u> | <u>Monthly Payment</u> | <u>No. of Mos.</u> |
|-----------------------|------------------|---------------|------------------------|--------------------|
| Wffinance | 10,500.00 | 6.50% | 270.00 | 48 |
| Dover Township | 442.01 | 6.00% | 15.00 | 35 |

- iv. The following secured claims will be satisfied through surrender of the collateral securing the claims (describe the collateral); any allowed claims for deficiencies will be paid pro rata with general unsecured creditors; upon confirmation of the plan, the automatic stay is lifted, if not modified earlier, as to the collateral of the listed creditors:

| <u>Claimant</u> | <u>Amount of Claim</u> | <u>Description of Collateral</u> |
|-----------------|------------------------|----------------------------------|
| -NONE- | | |

- v. The following secured claims are not affected by this plan and will be paid outside of the plan directly by the Debtor:

Claimant
-NONE-

- vi. If any secured claim not described in the previous paragraphs is filed and not disallowed, that claim shall be paid or otherwise dealt with outside the plan directly by the Debtor, and it will not be discharged upon completion of the plan.
- vii. In the event that the trustee is holding funds in excess of those needed to make the payments specified in the Plan for any month, the trustee may pay secured claims listed in paragraphs 2.e.ii and 2.e.iii in amounts larger than those specified in such paragraphs.

- f. After payment of priority and secured claims, the balance of funds will be paid pro rata on allowed general, unsecured claims. (If there is more than one class of unsecured claims, describe each class.)

3. The amount of each claim to be paid under the plan will be established by the creditor's proof of claim or superseding Court order. The Debtor anticipates filing the following motion(s) to value a claim or avoid a lien. (Indicate the asserted value of the secured claim for any motion to value collateral.):

| <u>Claimant</u> | <u>Asserted Value</u> | <u>Description of Property</u> |
|------------------|-----------------------|--------------------------------|
| Wffinance | 10,500.00 | 2003 Ford Expedition |

4. Payments made by the Chapter 13 trustee on account of arrearages on pre-petition secured claims may be applied only to the portion of the claim pertaining to pre-petition arrears, so that upon completion of all payments due under the Plan, the loan will be deemed current through the date of the filing of this case. For the purposes of the imposition of default interest and post-petition charges, the loan shall be deemed current as of the filing of this case.
5. Secured Creditors who are holding claims subject to cramdown will retain their liens until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or discharge under § 1328; and if the case is dismissed or converted without completion of the plan, the lien shall also be retained by such holders to the extent recognized under applicable nonbankruptcy law.

6. The following executory contracts and/or unexpired leases are assumed (or rejected, so indicate); any unexpired lease with respect to personal property that has not previously been assumed during the case, and is not assumed in the plan, is deemed rejected and the stay of §§ 362 and/or 1301 is automatically terminated:

| <u>Other Party</u> | <u>Description of Contract or Lease</u> | <u>Assumed or Rejected</u> |
|--------------------|---|----------------------------|
| -NONE- | | |

7. Title to the Debtor's property shall revert in the Debtor when the Debtor is granted a discharge pursuant to 11 U.S.C. § 1328, or upon dismissal of the case, or upon closing of the case.

8. Non-Standard Provisions:

| | | | |
|------|---------------------------------|-----------|---|
| Date | <u>December 10, 2009</u> | Signature | <u>/s/ Eddie Gordon</u> Eddie Gordon Debtor |
|------|---------------------------------|-----------|---|

| | | | |
|------|---------------------------------|-----------|---|
| Date | <u>December 10, 2009</u> | Signature | <u>/s/ Tara Gordon</u> Tara Gordon Joint Debtor |
|------|---------------------------------|-----------|---|

| | |
|----------|---|
| Attorney | <u>/s/ Adam M. Freiman</u> Adam M. Freiman |
|----------|---|

**United States Bankruptcy Court
District of Maryland**

In re **Eddie Gordon
Tara Gordon**

Debtor(s)

Case No. **09-20660**
Chapter **13**

CERTIFICATE OF SERVICE

I hereby certify that on **December 10, 2009**, a copy of **Fourth Amended Chapter 13 Plan** was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed on the attached creditor mailing matrix obtained via Pacer.

/s/ Adam M. Freiman
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Sirody Freiman & Feldman
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Baltimore, MD 21208
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afreiman@sfflegal.com

Label Matrix for local noticing
0416-1
Case 09-20660
District of Maryland
Baltimore
Thu Dec 10 13:48:07 EST 2009

AMERICAN INFOSOURCE LP AS AGENT FOR
T MOBILE/T-MOBILE USA INC
PO Box 248848
Oklahoma City, OK 73124-8848

BGE
PO BOX 1475
BALTIMORE, MD 21203-1475

Bank of America, NA
MD4-301-16-01
225 N Calvert St
Baltimore MD 21202-3504

CitiFinancial Services Inc.
P.O. Box 140489
Irving, TX 75014-0489

Comptroller of the Treasury
Compliance Division, Room 409
301 W. Preston Street
Baltimore, MD 21201-2305

LVNV Funding LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Midland Credit Management, Inc.
8875 Aero Drive, Suite 200
San Diego, CA 92123-2255

PRA Receivables Management, LLC
As Agent Of Portfolio Recovery Assocs.
PO Box 12914
NORFOLK VA 23541-0914

State of Maryland DLLR
Division of Unemployment Insurance
1100 N. Eutaw Street, Room 401
Baltimore, MD 21201-2201

Supervisor of Delin. Accts.
Rm. 1 Municipal Building
Holliday & Lexington Streets
Baltimore, MD 21202

WFS Financial Services
PO Box 19752
Irvine, CA 92623-9752

Wells Fargo Auto Finance
ATTN: MAC F6582-034
P.O. Box 500
Chester, PA 19016-0500

Wells Fargo Bank, NA
Payment Processing
MAC X2302-04C
One Home Campus
Des Moines, IA 50328-0001

Wells Fargo Mortgage
1 Home Campus
Des Moines, IA 50328-0001

End of Label Matrix
Mailable recipients 14
Bypassed recipients 0
Total 14